

Prepared from FORM PTO-1390		Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)		Page 1
Customer No.	026418			
Attorney's Docket No.:	GK-ZEI-3278/500343.20298		10/539491	
U.S. Application No.:				
International Application No.:	PCT/EP2003/013476			
International Filing Date:	NOVEMBER 29, 2003		29 NOVEMBER 2003	
Priority Date Claimed:	DECEMBER 19, 2002		19 DECEMBER 2002	
Title of Invention:	METHOD AND ARRANGEMENT FOR OPTICAL EXAMINATION OR PROCESSING OF A SAMPLE			
Applicant(s) for (DO/EO/US):	Ralf WOLLESCHEFSKY and Michael KEMPE			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)]. The submission must include items (5), (6), (9), and (21) indicated below.
- ☐ 4. The US has been elected (Article 31).
- ☒ 5. A copy of **Publication No. WO 2004/0057401 8JUL04** the International Application as filed [35 U.S.C. 371(c)(2)]
 - a) ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b) ☐ has been communicated by the international Bureau.
 - c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
- ☐ 6. An English language translation **Publication No. WO 2004/0057401 8JUL04** of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a) ☒ is attached hereto
 - b) ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a) ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b) ☐ have been communicated by the international Bureau.
 - c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d) ☐ have not been made and will not be made
- ☐ 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- ☒ 9. An EXECUTED Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- ☐ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 20. Below concern other document(s) or information included:

- ☒ 11. **An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98**
- ☒ 12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ 13. **A preliminary amendment**
- ☐ 14. An Application Data Sheet under 37 CFR 1.76
- ☒ 15. **A substitute specification with abstract (attached to the preliminary amendment)**
- ☐ 16. A change of power of attorney and/or address letter
- ☐ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 V+CFR1.821-1.825.
- ☐ 18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).
- ☐ 19. A second copy of the English language translation of the International Application under 35 U.S.C. 154 (d)(4).
- ☒ 20. (other items or information) **Request (PCT/RO/101), Search Reports: PCT/ISA/220 and 210 18MAR04 and German Examination Report 02SEP03, PTO-1449 with cited references.**

EXPRESS MAIL No.: **EV 302 916 478 US**

Deposited: **June 17, 2005**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

 /Ruth Montalvo Date: **June 17, 2005**

U.S. Application No. (if known, see 37 C.F.R. 1.50):

International Application No.: **PCT/EP2003/013476**Attorney's Docket No: **GK-ZEI-3278 / 500343.20298****[X] 21.** The following fees are submitted: **10/539491**

					Applicant use	Office use only
[X] a)	BASIC NATIONAL FEE			\$ 300.00	\$ 300.00	
[X] b)	Examination fee			\$ 200.00	\$ 200.00	
[X] c)	Search fee			\$ 500.00	\$ 500.00	
TOTAL OF ABOVE CALCULATIONS:					\$ 1,000.00	
[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.						
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number).		Rate		
- 100 =	/50 =			X \$250.00	\$	
Surcharge of \$ 130.00 for furnishing the oath or declaration later than 30 month from the earliest claimed priority date (37 CFR 1.492(e))					\$	
Claims	Number Filed		Number Extra	Rate		
Total Claims:	39	- 20	19	X \$ 50.00	\$ 950.00	
Independent Claims:	3	- 3		X \$ 200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 360.00	\$	
TOTAL OF ABOVE CALCULATIONS:					\$1,950.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]					+	\$
TOTAL OF ABOVE CALCULATIONS:					\$1,950.00	
[] Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by ½ for filing by small entity -						
SUBTOTAL:					\$1,950.00	
Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]					+	
TOTAL NATIONAL FEE:					\$1,950.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property					+	\$ 40.00
TOTAL FEE(S):					\$1,990.00	
AMOUNT TO BE REFUNDED						\$
AMOUNT TO BE CHARGED						\$

(Please note the filing fee is based on the claims in the Preliminary Amendment)

- a) **[X]** Check in the amount of \$ **1,950.00** to cover the above fees is enclosed.
- b) **[]** Please charge my Deposit Account No 50-1529 in the amount of \$.00 to cover the fee..
- c) **[X]** The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)
- d) **[]** Fee are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:**Gerald H. Kiel, Esq.**

Reed Smith LLP

599 Lexington Avenue

New York, NY 10022-7650

(Customer No. 026418)

Signature:

Attorney:

Reg. No.

Date:

Gerald H. Kiel**25,116****June 17, 2005**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE		
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VERIFIED
ENGLISH
TRANSLATION
OF
PUBLICATION NO.
WO 2004/057401
Published July 8, 2004

107539491**VERIFICATION OF A TRANSLATION**

I, the below named translator, hereby declare that:


My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below-identified international application was filed, and that I believe the English translation of the international application PCT/EP2003/013476 is a true and complete translation of the above-identified international application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date May 17, 2005

Full name of the translator Daniel Cooper

Signature of the translator 

Post Office Address 1310 Felicity Street, New Orleans, LA 70130